

Message Text

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TO AMEMBASSY PORT AU PRINCE PRIORITY

C O N F I D E N T I A L STATE 247088

E.O. 11652: GDS

TAGS: PINS

SUBJECT: CASTEL HAITI EXPLOSION: RELEASE ON BAIL OF
SANSARICQ

REF: PORT AU PRINCE 22175

1. YOU MAY WISH DRAW ON FOLLOWING IN DISCUSSING WITH
BRUTUS CIRCUMSTANCES OF SANSARICQ'S RELEASE ON BAIL.
2. JUSTICE DEPARTMENT AT ARRAIGNMENT RECOMMENDED TO
EXAMINING MAGISTRATE THAT BAIL BE PUT AT \$100,000, BUT
MAGISTRATE, EXERCISING HIS INDEPENDENT AUTHORITY, PUT
IT AT \$50,000 WHICH SANSARICQ MET. JUSTICE DEPARTMENT
BELIEVES IT WOULD NOT BE PROPER INVESTIGATE SOURCE OF FUNDS,
PARTICULARLY SINCE SUCH AN INVESTIGATION COULD VERY WELL
PREJUDICE OUTCOME OF TRIAL.
3. GOH SHOULD BE AWARE THAT RELEASING INDICTED INDIVIDUALS
ON BAIL IS INTEGRAL PART OF OUR JUDICIAL PROCESS AND CAN-
NOT BE LIGHTLY DISREGARDED.

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4. WE CANNOT ASSURE GOH THAT SANSARICQ WILL BE KEPT UNDER

CONSTANT SURVEILLANCE. AGAIN SUCH ACTION COULD PREJUDICE OUTCOME OF CASE. IT FOLLOWS THAT WE CANNOT GUARANTEE THAT SANSARICQ WILL NOT ATTEMPT FLEE COUNTRY AND FORFEIT BAIL.

YOU MAY, HOWEVER, INFORM GOH THAT APPROPRIATE AUTHORITIES WILL MAKE OCCASIONAL SPOT CHECKS TO CONFIRM THAT SANSARICQ IS STILL IN US.

5. IT IS NOT KNOWN WHETHER SANSARICQ POSSESSES ANY DOCUMENTS WHICH HE COULD USE FOR TRAVEL ABROAD. EMBASSY WILL RECALL, HOWEVER, THAT SANSARICQ SURRENDERED HIS US RE-ENTRY PERMIT AT TIME OF ARREST.

6. WE REALIZE TOTALITY OF FOREGOING MAY HAVE NEGATIVE IMPACT ON GOH. TO COUNTERACT THIS YOU MAY INFORM GOH THAT EXPERIENCED SENIOR OFFICIAL IN JUSTICE DEPARTMENT BELIEVES SANSARICQ INTENDS STAND TRIAL. IN SUPPORT OF THIS BELIEF HE NOTES THAT SANSARICQ'S LAWYER HAS PARTICIPATED FULLY IN PRE-TRIAL MANEUVERING, INCLUDING ENTERING PRE-TRIAL MOTIONS. ASSUMPTION IS THAT SANSARICQ, HAD HE INTENDED FLEE COUNTRY, WOULD HAVE DONE SO DURING GRAND JURY INVESTIGATION OF WHICH HE MUST HAVE BEEN AWARE.

7. YOU MAY ALSO WISH TO INFORM GOH THAT JUSTICE DEPARTMENT ATTACHES GREAT IMPORTANCE TO THE TRIAL AND IS SENDING LAWYER FROM WASHINGTON HEADQUARTERS TO LEAD PROSECUTION.

8. JUSTICE DEPARTMENT CONFIRMS THAT COLONEL ACHILLE'S TESTIMONY AT TRIAL WILL BE NEEDED, AND HOPES GOH WILL AUTHORIZE THIS.

9. FYI: BELIEF HERE AMONG INVESTIGATIVE OFFICERS IS THAT SANSARICQ INTENDS USE TRIAL AS POLITICAL SOUNDING BOARD. IF THIS IS CORRECT, IT PROBABLY WILL RAISE NEW SET OF PROBLEMS WITH GOH WITH WHICH WE NEED NOT BOTHER IT AT THIS POINT. END FYI. MAW

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